

1-1 By: Nichols S.B. No. 1265  
1-2 (In the Senate - Filed March 6, 2013; March 13, 2013, read  
1-3 first time and referred to Committee on Intergovernmental  
1-4 Relations; April 8, 2013, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 5, Nays 0;  
1-6 April 8, 2013, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Hinojosa	X		
1-10	Nichols	X		
1-11	Garcia	X		
1-12	Paxton	X		
1-13	Taylor	X		

1-14 COMMITTEE SUBSTITUTE FOR S.B. No. 1265 By: Nichols

1-15 A BILL TO BE ENTITLED  
1-16 AN ACT

1-17 relating to the election of board members for emergency services  
1-18 districts in certain counties.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Subsection (h), Section 775.034, Health and  
1-21 Safety Code, is amended to read as follows:

1-22 (h) This section does not apply to a district located wholly  
1-23 in a county:

1-24 (1) with a population of more than three million; or  
1-25 (2) with a population of less than 200,000 that  
1-26 borders another state and the Gulf Intracoastal Waterway.

1-27 SECTION 2. The heading to Section 775.0345, Health and  
1-28 Safety Code, is amended to read as follows:

1-29 Sec. 775.0345. ELECTION OF BOARD IN CERTAIN [~~POPULOUS~~]  
1-30 COUNTIES.

1-31 SECTION 3. Subsection (a), Section 775.0345, Health and  
1-32 Safety Code, is amended to read as follows:

1-33 (a) This section applies only to a district located wholly  
1-34 in a county:

1-35 (1) with a population of more than three million; or  
1-36 (2) with a population of less than 200,000 that  
1-37 borders another state and the Gulf Intracoastal Waterway.

1-38 SECTION 4. The heading to Section 775.0445, Health and  
1-39 Safety Code, is amended to read as follows:

1-40 Sec. 775.0445. VACANCY ON BOARD OF DISTRICT LOCATED IN  
1-41 CERTAIN [~~POPULOUS~~] COUNTIES.

1-42 SECTION 5. Subsection (b), Section 775.0445, Health and  
1-43 Safety Code, is amended to read as follows:

1-44 (b) This section applies only to a district located wholly  
1-45 in a county:

1-46 (1) with a population of more than three million; or  
1-47 (2) with a population of less than 200,000 that  
1-48 borders another state and the Gulf Intracoastal Waterway.

1-49 SECTION 6. (a) The changes in law made by this Act do not  
1-50 affect the entitlement of a commissioner of a board of emergency  
1-51 services commissioners serving on the board immediately before the  
1-52 effective date of this Act to continue to carry out the board's  
1-53 functions for the remainder of the commissioner's term.

1-54 (b) This Act does not prohibit a person who is a  
1-55 commissioner on the effective date of this Act and who was appointed  
1-56 under Section 775.034, Health and Safety Code, from running for  
1-57 election to the board if the person has the qualifications required  
1-58 for a member under Section 775.0345, Health and Safety Code, as  
1-59 amended by this Act.

1-60 (c) A person serving as a member of a board of emergency

services commissioners on the effective date of this Act who was appointed under Section 775.034, Health and Safety Code, shall continue to serve until the election and qualification of a new commissioner for that position.

(d) In 2014, the county judge of a county with an emergency services district to which Subdivision (2), Subsection (a), Section 775.0345, Health and Safety Code, as added by this Act, applies and to which Section 775.034, Health and Safety Code, previously applied, shall establish an election as required by Section 775.0345 to replace a commissioner appointed before the effective date of this Act as near as practicable to the date of the expiration of the appointed commissioner's term. A commissioner elected under this subsection serves a two-year term but the successor serves a four-year term as provided by Section 775.0345, Health and Safety Code.

(e) In 2015, the county judge shall repeat the procedures described by Subsection (d) of this section for the remaining appointed commissioners. A commissioner elected under this subsection serves a three-year term but the successor serves a four-year term as provided by Section 775.0345, Health and Safety Code.

SECTION 7. This Act takes effect September 1, 2013.

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